

THE NEED TO COMMUNICATE:
FIGHTING HUMAN TRAFFICKING IN VIETNAM

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ABSTRACT

The author analyzes human trafficking in Vietnam, while providing a basic understanding of the global response to this problem, and how Vietnam can best nest its efforts within global mechanisms. These mechanisms belong to organizations such as the United Nations (UN) and the Association of Southeast Asian Nations (ASEAN) and will be a key component of any solution to this problem within the region and in Vietnam. Finally, the author discusses the need to agree on the common assessment criteria that is required to address this problem and how a shared operations center and common database are two mechanisms that Vietnam should construct to build on the work of the UN, ASEAN and AusAID.

INTRODUCTION

“Due to its hidden and illegal nature, the gathering of statistics on the scale of the problem is difficult. The consequences on the world, countries, communities and people, including women and children are certainly much broader and deeper. While we can note the progress from our efforts, the challenges are enormous, complex and multifaceted.”

- Ambassador Le Hoai Trung, Permanent Representative of the Vietnamese delegation at the UN, delivered in a speech at the UN Global Action Plan on Human Trafficking at the UN headquarters on 13-14 May 2013.¹

During Ambassador Le Hoai Trung’s speech to the UN Global Action Plan on Human Trafficking, he acknowledged that the Vietnamese government does not have sufficient data and there is much work ahead in developing a solution to the human trafficking epidemic.² He recognized the complexity of gathering statistics to capture the scale that human trafficking occurs, but this problem is not new; the lack of effective communication between nations, intergovernmental organizations, and non-governmental organizations is one key component of an enduring international struggle. In March of 1927, the League of Nations recognized the findings of a report entitled *Report of the Special Body of Experts on Traffic in Women and Children*.³ The resolution stemmed from a report by Grace Abbott to the Advisory Committee on the Traffic in Women and Children during which she identified the need for facts and scientific evidence of “any international traffic in women and girls for purposes of prostitution, between what countries the traffic is being carried on, the methods used in procuring and transporting women and girls, and the effectiveness of national measures undertaken to eliminate the traffic.”⁴ Today, human trafficking remains an incredibly complex problem that exists on a global scale, regionally in

¹ Vietnamplus, “Vietnam’s Voice in Fight Against Human Trafficking — TalkVietnam,” accessed October 12, 2013, <http://talkvietnam.com/2013/05/vietnams-voice-in-fight-against-human-trafficking/#.Ulmx6hB33Mp>.

² Ibid.

³ “Report of the Special Body of Experts on Traffic in Women and Children,” *Social Service Review*, Vol. 1, No. 2 (June 1927), 354-356, accessed October 6, 2013, JSTOR.

⁴ Ibid.

Southeast Asia, and within the borders of Vietnam. Given the global and regional nature of the problem, nations such as Vietnam must make every effort to clearly communicate with other nations, intergovernmental organizations, and non-governmental organizations, or risk never developing solutions to fight human trafficking effectively.

Grace Abbott's argument for facts and scientific evidence to understand this global problem is just as applicable today as it was in 1923.⁵ National and local governments, along with many intergovernmental and non-governmental organizations, are all working to eradicate trafficking, yet leaders at all levels acknowledge that there is insufficient data.⁶ The work of the United Nations (UN), the Association of Southeast Asian Nations (ASEAN), and multiple non-governmental organizations to combat this transnational crime over the last two decades is substantial and provides the framework within which nations of the Greater Mekong Sub-region (GMS) fight human trafficking.⁷ It is within this global framework that Vietnam finds itself, needing to nest its efforts within global mechanisms to combat human trafficking as it strives to find a solution within its borders. To be effective, it is important that these mechanisms clarify what data is relevant, what law and protocols should be followed, and how to collect and share data in a way that enables coordination and communication amongst organizations. The development of common assessment criteria, shared databases and the sharing of best practices with the UN, ASEAN, internal agencies and non-governmental organizations are just some of the actions that Vietnam can take to more effectively fight human trafficking. This approach will not end human trafficking, but

⁵ Ibid.

⁶ Susan Kneebone and Julie Debeljak, *Transnational Crime and Human Rights: Responses to Human Trafficking in the Greater Mekong Subregion* (Milton Park, Abingdon, Oxon; New York: Routledge, 2012), 105, 149.

⁷ Ibid, 8-15, 80-81, 188-192.

without it, a common understanding of the problem and a common approach to the solutions will never exist.

BACKGROUND

It is important to first understand the problem. There are multiple types of trafficking that occur in the Greater Mekong Sub-region, to include sex trafficking, forced marriage, adoption, begging, debt bondage, domestic servitude, and enslavement on fishing boats.⁸ Vietnam is predominantly a source country for human trafficking; cross-border trafficking trends include trafficking for sexual exploitation, labor exploitation, fraudulent marriages, and adoption.⁹ Destination countries include (but are not limited to) those in the surrounding Mekong Region, China, Western Europe and the Middle East.¹⁰ According to the United Nations Inter-Agency Project on Human Trafficking (UNIAP), between 2004 and 2009 there were 1,586 cases of trafficking, 2,888 perpetrators, and 2,935 victims of trafficking in Vietnam.¹¹ The details behind these cases are horrific, such as an increasing trend of foreigners visiting Vietnam for what UNIAP refers to as “child sex tourism”.¹² Another horrifying practice is common in deep-sea fishing throughout Asia, as children as young as 10 years old are forced to dive as deep as 100 feet without any gear or protection to steer fish into fishing nets, often resulting in the child’s injury or death.¹³ The U.S recognizes the horrific nature of this crime in its *Trafficking in Persons (TIP) Report 2013*, in which it

⁸ World Vision, *GMS Human Trafficking: A Changing Landscape* (World Vision), 1–2, accessed October 27, 2013, <http://www.slaverynomore.org/wp-content/uploads/2011/07/WorldVisionFactSheet.pdf>.

⁹ United Nations Inter-Agency Project on Human Trafficking, “UNIAP SIREN Mekong Region Country Datasheets Human Trafficking 2010.pdf,” September 2010, 31, accessed 13 October 2013, http://www.no-trafficking.org/reports_docs/siren/uniap_2010ht_datasheets.pdf.

¹⁰ Ibid, 30-32.

¹¹ Ibid., 30, 32.

¹² Ibid, 31.

¹³ Children's Care International. "Child Labour." Accessed 31 October 2013. <http://aipe-cci.org/eng/child-labor/>

confirms the UNIAP assessment of trafficking trends and categorizes Vietnam as a Tier 2 nation, a nation that does not meet the minimum standards for eliminating this crime.¹⁴ The UNIAP and U.S. reports are just two of many attempts to capture the scope of the problem.

Scholars have studied human trafficking from multiple angles. Siddharth Kara's book *Sex Trafficking: Inside the Business of Modern Slavery* is based on research which included interviews with numerous victims, often while they were still enslaved.¹⁵ Kara identifies several reasons why efforts to eradicate trafficking are insufficient: the problem is poorly understood, the organizations that combat trafficking do not coordinate well internationally and are underfunded, the law against trafficking are insufficient and poorly enforced, and a systemic business and economic analysis of the industry has not been undertaken.¹⁶ Like Kara, authors Do Anh Tuan and Ma Dang Thi Thanh also analyze human trafficking in the book *Policing Global Movement: Tourism, Migration, Human Trafficking, and Terrorism*, however, their analysis and proposed solutions are focused on Vietnam.¹⁷ Their proposals include the following: provide better funding to reintegrate victims into the community, provide better financial support for investigation and detection of the crime, establish a legal mechanism that requires cooperation amongst all forces, improve both international and regional cooperation, prioritize more proactive techniques (particularly within the law enforcement community), establish a national human trafficking database

¹⁴ United States Department of State, *United States Trafficking in Persons Report 2013.pdf*, June 2013, 392–395, <http://www.state.gov/documents/organization/210742.pdf>.

¹⁵ Siddharth Kara, *Sex Trafficking: Inside the Business of Modern Slavery* (Columbia University Press, 2008), <http://www.jstor.org/stable/10.7312/kara13960>.

¹⁶ *Ibid.*, 200.

¹⁷ Do Anh Tuan and Ma Dang Thi Thanh, *Policing Global Movement: Tourism, Migration, Human Trafficking, and Terrorism*, ed. S. Caroline Taylor, Daniel Torpy and Dilip Das. (Boca Raton, FL: CRC Press/Taylor & Francis Group, 2013), 165-185.

center, and conduct more frequent training amongst law enforcement.¹⁸ A comparison of the proposals of Kara with those of Tuan and Thanh reveals similar observations and recommendations, specifically a need to cooperate amongst organizations (internationally, regionally, and domestically) and a need for better data.¹⁹ These ideals highlight the need for mechanisms that force organizations to cooperate and communicate and establish common data requirements. By constructing these mechanisms, Vietnam will establish a common baseline understanding of the problem. With a common understanding, there is greater potential, or a higher ceiling, for success from the organizations fighting this crime.

SPEAKING THE SAME LANGUAGE: THE NEED FOR COMMON ASSESSMENT CRITERIA, DEFINITIONS AND LAW

Scholars and leaders agree that there is a need for better data, but they often fail to clarify what assessment criteria is required to make decisions and take action. Many recognize that the information provided by the Vietnam government is not mature enough to be informative to the international problem.²⁰ In the 2012 UNODC *Global Report on Trafficking in Persons*, numerous statistics in the South Asia, East Asia and Pacific were assessed as incomplete, with a number of countries not reporting; Vietnam was one of these countries.²¹ In a more blunt assessment, Professors Susan Kneebone and Julie Debeljak, authors of *Transnational Crime and Human Rights: Responses to Human Trafficking in the Greater Mekong Sub-region*, state, “There are no reliable statistics on the number of persons trafficked in and from Vietnam.”²² The lack of information is not limited to Vietnam. The *ASEAN Progress Report on Criminal Justice Responses to Trafficking in Persons* published

¹⁸ Ibid., 180–181.

¹⁹ Ibid.

²⁰ Susan Kneebone and Julie Debeljak, *Transnational Crime and Human Rights*, 149.

²¹ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons: 2012*. (Vienna: United Nations Office on Drugs and Crime, 2012), 69–74.

²² Susan Kneebone and Julie Debeljak, *Transnational Crime and Human Rights*, 149.

in July 2011 identifies several key shortcomings in the region, including a lack of reliable data (to include how extensive the problem is and how member nations acted in combating the problem), shortcomings in communications between agencies that result in inconclusive results and gaps in data collection, and different definitions and units of measurement amongst the member nations (highlighting the lack of a common understanding as to the scope of the problem).²³ The logical next step is clear; working in conjunction with the United Nations and ASEAN, Vietnam should identify what common assessment criteria is required to inform leadership and lead to action that solves the problem. If not, Vietnam risks never understanding the scope of human trafficking within, and through, its borders.

The scope of this problem goes beyond agreeing what data is important to collect. Law, definitions, penalties, and approaches differ between nations, and between Vietnam, ASEAN and the UN.²⁴ In order to communicate effectively with other agencies, Vietnam has to agree to the same terms and definitions and agree to the same rules as the international community. This can prove to be difficult as multiple mandates, agreements and treaties at the global and regional level are not neatly nested, and the definitions can vary.²⁵ However, if the law, definitions, punishments, and protocols that Vietnam enforces are not consistent with the international community, Vietnamese leadership risks never effectively working with its regional and international partners in combating this global problem.

The UN and ASEAN provide the basic framework for the international and regional community to follow. In 2000, the *United Nations Convention against Transnational*

²³ Association of Southeast Asian Nations, "Progress Report on Criminal Justice Responses to Trafficking in Persons in the ASEAN Region" (2011), http://works.bepress.com/fiona_david/6/, 4.

²⁴ Kneebone and Debeljak, *Transnational Crime and Human Rights*, 100-161, 267.

²⁵ Ibid, 8-15, 148-155.

Organized Crime (‘CTOC’) was developed to address human trafficking.²⁶ The UN later added the *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* and the *Protocol Against the Smuggling of Migrants by Land, Sea and Air* to augment the CTOC; these three documents provide the foundation from which all other efforts build upon.²⁷ In the preface to UNODC’s 2012 *Global Report on Trafficking in Persons*, Yuri Fedotov, the executive director of UNODC, acknowledges what is required to fight the problem, stating “if the international community is to achieve long-term successes in combating trafficking in persons, we need reliable information on the offenders, the victims, and the trafficking flows throughout the region.”²⁸ He then claims that the 2012 report provides this information for the first time, making huge strides in collecting data since the previous UNODC report in 2009.²⁹ This is not the only recent progress made by the UN, which also has a database to assist member nations in their fight.³⁰ The UNODC human trafficking case law database is designed to assist judges and prosecutors by providing examples of real cases and how respective national law can be used in prosecution; the database also provides public access to prosecuted cases, with the potential to give insight to traffic patterns and statistics, along with the stories of real-life victims.³¹ These are just a couple of examples of the work being done, and although the UN is making great strides toward fighting this problem, it is not alone; ASEAN is providing the same emphasis, but with a focus on the regional (Greater Mekong Sub-region) level.

²⁶ United Nations Office on Drugs and Crime, “United Nations Convention Against Transnational Organized Crime and the Protocols Thereto,” 2004, iii, 5, <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>.

²⁷ Ibid., 41, 53.

²⁸ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, 1.

²⁹ Ibid.

³⁰ Ibid., 87.

³¹ Ibid.

In August 2010, ASEAN published its *Handbook on International Legal Cooperation in Trafficking in Persons Cases*.³² As recognized by Dr. Surin Pitsuwan, Secretary General of ASEAN, there is an increasing awareness of the need for close and effective cooperation between member nations, and this handbook is designed to provide all criminal justice officials with standardized tools with which to work.³³ This document provides definitions, guidance on mutual legal assistance and extradition, and insight into how best to use the tools provided in the investigation and prosecution process.³⁴ Despite this framework, there are still significant shortfalls in cooperation and effective coordination, domestically, regionally, and internationally. Cooperation at the domestic level is not effective due to a lack of legal guidance. At the regional and international level, nations are often reluctant to cooperate, and face many challenges to include language requirements, diplomatic barriers and a lack of common understanding of the legal mechanisms that the ASEAN Handbook is designed to provide.³⁵ Despite this, the efforts of the UN and ASEAN continue to show progress, and more importantly provide the best framework for member nations like Vietnam to succeed.

Vietnam has made significant progress recently in establishing systems that align with these international efforts. In January 2012, the Anti-Human Trafficking Law was enacted, along with a \$13.5 million dollar anti-trafficking plan that will run through the end of 2016.³⁶ However, there are shortcomings; criminal penalties still have not been established, and although there is an expanded definition of trafficking in the new law, it has

³² Association of Southeast Asian Nations, “ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases - ASEAN_Handbook_on_International_Legal_Cooperation_in_TIP_Cases.pdf,” August 2010, iii, http://www.unodc.org/documents/human-trafficking/ASEAN_Handbook_on_International_Legal_Cooperation_in_TIP_Cases.pdf.

³³ *Ibid.*, iv.

³⁴ *Ibid.*, xvi.

³⁵ Tuan and Thanh, *Policing Global Movement*, 179.

³⁶ Marianne Brown, “New Law in Vietnam to Tackle Changing Face of Human Trafficking,” *Voice of America*, November 28, 2011, <http://www.voanews.com/content/new-law-in-vietnam-to-tackle-changing-face-of-human-trafficking-134671708/168246.html>.

not been applied as law enforcement personnel need guidance to implement it.³⁷ Since the new law has not been fully implemented, criminals are charged under outdated and vague articles of the penal code.³⁸ Two examples of the need for clear definitions can be found in Article 119 and Article 120 of the old penal code. Article 119 makes trafficking in women a crime but does not define trafficking, and Article 120 prohibits “trading in, appropriating, or exchanging children” but does not clearly define these terms, to include the definition of a child as anyone under age 18.³⁹ Although Vietnam is making progress, it should continue to ensure that definitions, law, and assessment criteria align with its partners; there is an international framework from the United Nations and a regional framework from ASEAN that Vietnamese leadership can leverage in fighting human trafficking if they choose to speak the same language. Fortunately, there are many organizations that Vietnam and other nations can work with to accomplish this goal.

COMMUNICATE EFFECTIVELY: LEVERAGE THE BEST OF ORGANIZATIONS

Vietnam can leverage the best of the UN, ASEAN and international non-governmental organizations, and nest the efforts of its internal agencies with the international community, for it to combat this global problem effectively. There is already an incredible international effort underway to fight human trafficking. There are a number of organizations involved, each with its own mission, individual approach, and emphasis on what is important. The United Nations, ASEAN and Vietnam are improving their communication and information sharing amongst all organizations, but are just scratching the

³⁷ United States Department of State, *United States Trafficking in Persons Report 2013.pdf.*, 393.

³⁸ Ibid.

³⁹ Ibid., 393–394.

surface.⁴⁰ Understanding the roles of UN organizations, ASEAN, AusAID, and agencies within Vietnam is essential to understanding the challenges in establishing effective communication amongst all organizations. Key points in understanding each of these organizations are below; while these points are not inclusive, they provide a basic understanding of the organizations and their programs.

The United Nations. While the United Nations Children’s Fund (UNICEF), United Nations Women’s Fund (UNIFEM) and the International Labour Organization (ILO) all play important roles,⁴¹ the UN agency that is responsible for leading the effort to eradicate human trafficking is UNODC (United Nations Office on Drugs and Crime).⁴² The *United Nations Global Plan of Action to Combat Trafficking in Persons*, which was adopted by the UN in 2010, tasks UNODC to collaborate closely with national authorities to provide biennial reports on national, regional, and global patterns and flows of human trafficking.⁴³ The first report resulting from this Global Plan of Action is the *Global Report on Trafficking in Persons 2012*; while this report provides much more refined insight into the flows and patterns than previous reports, information gaps remain.⁴⁴ The report is based on officially detected cases of human trafficking across the globe, which is useful in detecting patterns and traffic flows, but the level of crime and number of victims remains unknown.⁴⁵

⁴⁰ Kneebone and Debeljak, *Transnational Crime and Human Rights*, 177-211.

⁴¹ United Nations Inter-Agency Project on Human Trafficking, “UNIAP SIREN Mekong Region Country Datasheets Human Trafficking 2010.pdf,” 34-35.

⁴² United Nations General Assembly, 64th Session, United Nations Global Plan of Action to Combat Trafficking in Persons, A/RES/64/293, 1-12, New York: UN, 12 Aug 2010. Accessed 30 October 2013. www.unodc.org/documents/human-trafficking/United_Nations_Global_Plan_of_Action_to_Combat_Trafficking_in_Persons.pdf

⁴³ United Nations General Assembly, 64th Session, United Nations Global Plan of Action to Combat Trafficking in Persons, A/RES/64/293, 12.

⁴⁴ United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons*, 1, 9.

⁴⁵ Ibid.

The United Nations Inter-Agency Project on Human Trafficking in the Mekong Sub-region (UNIAP) is a UN inter-agency project that is financed by member nations and not the UN.⁴⁶ UNIAP, along with six countries from the Greater Mekong Sub-region (to include Vietnam), are also a part of the *Coordinated Mekong Ministerial Initiative Against Trafficking* (COMMIT) process.⁴⁷ As the Secretariat for COMMIT, UNIAP strives to influence member nations to coordinate, improve information flow, and improve responsiveness in combating trafficking.⁴⁸ The COMMIT *Memorandum of Understanding on Cooperation against Trafficking in Persons in the Greater Mekong Sub-region* (COMMIT MOU) and the most recent Sub-regional Plan of Action (SPA III (2011-2013) provide the structure within which Vietnam and other member nations operate.⁴⁹

ASEAN and AusAID. Australian AID (AusAID) developed the Asian Regional Trafficking in Persons Project (ARTIP Project) in close coordination with ASEAN.⁵⁰ The project ran from 2006 to 2011 and built on the lessons learned from a previous Australian project, the Asia Regional Cooperation to Prevent People Trafficking Project (ARCPPT Project).⁵¹ The focus on both projects was on criminal justice, providing support to participating governments by strengthening national law enforcement and encouraging regional coordination.⁵² One key outcome from these projects was the development of the Heads of Specialist Units Process (HSU), which evolved and remains independent from ASEAN, yet is comprised of representatives from the specialist trafficking units from each

⁴⁶ Kneebone and Debeljak, *Transnational Crime and Human Rights*, 201.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid, 203-206.

⁵⁰ Ibid, 177.

⁵¹ Ibid., 192.

⁵² Asia Regional Trafficking in Persons (ARTIP) Project, "Independent Completion Report," September 2011, accessed October 29 2013, v, <http://www.ausaid.gov.au/countries/eastasia/regional/Documents/asia-regional-trafficking-in-persons-report.pdf>

ASEAN nation.⁵³ Other lessons learned from ARTIP include the need for stronger evidence collection to better inform policy and strategic decision-making and fostering a learning culture oriented towards the development of common evaluation data.”⁵⁴ After careful study of the effects of ARCPPT and ARTIP, AusAID now has designated their successor: the Australia Asia Program to Combat Trafficking in Persons (AAPTIP).⁵⁵ This program will focus on regional and national capacity building of criminal justice systems, and work to develop a regional program with solid, supporting national programs.⁵⁶

Vietnam. Key Vietnam ministries that have a role in anti-trafficking include the Ministry of Public Security (the lead agency in coordinating and implementing the National Plan of Action and a focal point for coordination with other agencies), the Ministry of Defense (the Border Guard Command is responsible for control measures to prevent cross-border trafficking), the Ministry of Foreign Affairs (lead agency in cooperating with other nations on trafficking issues), the Ministry of Labour, Invalids, and Social Affairs (lead agency for reintegration of victims), and the Ministry of Justice (responsible for the legal system to combat and prosecute trafficking crimes).⁵⁷ NGOs inside Vietnam and local governmental agencies bring additional focus to the problem, further highlighting the need for information sharing among all agencies. Whereas efforts such as those during the ARTIP project lead to informative after action reviews, there is not a mechanism at the national level within Vietnam to share lessons learned amongst all agencies in real time. Such a capability

⁵³ Kneebone and Debeljak, *Transnational Crime and Human Rights*, 195–196.

⁵⁴ Australian AID, “Final Program Design Document for the Australia–Asia Program to Combat Trafficking in Persons (AAPTIP),” June 2012, accessed 20 October 2013, 6.
<http://www.ausaid.gov.au/apps/businessnotifications/Pages/notification20022013-2.aspx>.

⁵⁵ Ibid, 2.

⁵⁶ Ibid, iii.

⁵⁷ United Nations Inter-Agency Project on Human Trafficking, “UNIAP SIREN Mekong Region Country Datasheets Human Trafficking 2010.pdf,” 35.

would improve the common understanding of both the problem and the mechanisms at work to solve it. Every effort by Vietnam to share best practices internally and with national and international organizations will promote better collaboration from all involved.

The United States. The momentum of the COMMIT and ARTIP/AAPTIP initiatives provides an opportunity for the U.S. Much of the framework for coordination amongst the nations within the Greater Mekong Sub-region exists, and there are numerous experts within the region working to combat human trafficking. Working through USAid and the ambassadors to ASEAN and Vietnam, and in conjunction with the United Nations, ASEAN and AusAID, the U.S. has a tremendous opportunity to assist if it can identify those areas where it can fill the gap: identify a lack of expertise, gaps in coordination, or a lack of resources that will further reinforce the framework, and look within for possible solutions. Incorporate NGOs into the discussion at every possibility, as they often have the best understanding of the problem, and their ideas will help inform a problem that currently is being analyzed primarily through the use of official statistics. Maintaining a UN and ASEAN face on solutions within the region will result in trust in those solutions from the nations of the region. The US State Department recently rewarded a grant to ASEAN for a project to assist its member nations in aligning law across the region; this approach reinforces ASEAN's leadership role within the region in fighting human trafficking.⁵⁸ As regional cooperation and coordination continues to improve, there is tremendous potential for Vietnam to keep pace and align its efforts with those in the region, and USAid and the Department of State can play a vital role in this effort.

⁵⁸ Elisabeth Socolow (Political Officer, United States Embassy, Kuala Lumpur, Malaysia), e-mail message to author, 30 October 13.

ORGANIZE TO ENSURE UNITY OF EFFORT

Through the development of mutual supporting databases and a better mechanism for all agencies to coordinate more effectively, Vietnam will improve communication and enhance collective understanding between agencies, which will allow everyone to more effectively fight the problem. In *Policing Global Movement*, Tuan and Thanh's recommendation that Vietnam establish a national human trafficking database center provides a solution to address two issues: improve data collecting and establish a single location that can help provide unity of effort.⁵⁹ The argument for a national database is sound; there are a large number of potential sources for data, and there is a tremendous amount of data that could be collected. Vietnam currently does not have a single organization designated to collect human trafficking data, it has not established criteria for what data should be collected, and it does have a legal mechanism to direct subordinate agencies to provide relevant data.⁶⁰ Addressing these issues, and aligning the roles and responsibilities of the agencies designated to collect the data with clearly defined data requirements will only help each agency maximize its contribution.

For the Vietnam government to effectively address these problems, it should work in unison with experts both within and outside its borders. In addressing the problem of poor international coordination, Siddharth Kara proposed the creation of a "Coalition of Freedom", a collection of anti-trafficking NGOs, economists, business leaders, law enforcement, lawyers, scholars, and others that would exist outside the structure of government.⁶¹ This organization would be allocated into two units, the first unit would

⁵⁹ Ibid., 180–181.

⁶⁰ Ibid, 181.

⁶¹ Kara, *Sex Trafficking: Inside the Business of Modern Slavery*, 201.

concentrate its efforts on the victims, and the second would focus on tactics and policy needed to fight the problem.⁶² Vietnamese leadership would be well served with incorporating the best ideas from this “Coalition of Freedom” with Tuan and Thanh’s recommendation that Vietnam establish a national human trafficking database center; the result would be an operations center, where information is shared, each organization is represented, and key decisions or actions could be made in real time.⁶³ Key stakeholders would identify the manning requirements and design the organizational structure of the operations center, as well as assist in building common assessment criteria for use by all. The concept of a database center nests well with Kara’s concept of a single location where all pertinent non-state actors can coordinate. However, the government should be added as well, as it could provide leadership and clear direction to each organization, as well implement and enforce mechanisms that direct coordination and action. If the key organizations have a seat in the operations center, with clearly defined rules, established roles and mechanisms that require action, such an operations center could provide critical data to key decision makers and allow leaders a platform through which they could direct action.

For Vietnam to build an effective standard database and establish a functional operations center, it should work closely with its international and regional partners. COMMIT SPA III and AAPTIP are two key programs within which Vietnam can better align its efforts. An example of the strategic vision that Vietnam should align with is the theory of change concept to build capacity and enhance partnership that AAPTIP proposes, with the goal (end state) and outcomes (objectives) clearly identified.⁶⁴ This strategy provides a

⁶² Ibid.

⁶³ Tuan and Thanh, *Policing Global Movement*, 181.

⁶⁴ Australian AID, “Final Program Design Document for the Australia–Asia Program to Combat Trafficking in Persons (AAPTIP),” 44.

terrific framework, but is just one component of what is needed: a holistic, regional (ASEAN) solution that identifies goals and objectives, with lines of operation in prevention, protection, policy and prosecution. Only through efforts such as this that build on the efforts of COMMIT SPA III and ARTIP/AAPTIP, and that are in accordance with UN and ASEAN mandates, will Vietnam make meaningful change with the potential to have significant effects on the trafficking industry.

RECOMMENDATIONS

Develop common assessment criteria and nest law, definitions and protocols within established international standards. Vietnam leadership should develop common assessment criteria in conjunction with the efforts of the UN and ASEAN, or risk never fully understanding the scope of human trafficking within, and through, its borders. Additionally, Vietnam should ensure that its law, definitions, punishments, and protocols are consistent with those called for by the international community.

Develop a common database. Vietnam should develop a common database that utilizes common assessment criteria that satisfy all information requirements in order to make informed operational and policy decisions. Ensure compatibility between this database, the UN database and all ASEAN information systems.

Establish a national human trafficking operations center. Vietnam should establish a national human trafficking operations center that aligns the efforts of all its agencies internally, and with partner IGO and NGOs globally. Building on the concept of a human trafficking database center, construct an operations center that not only provides a single entry point for all data requests, but also enables all organizations to coordinate action. It

should be built on legal mandates that require the types of data to be collected and designates who collects the data, but be flexible enough to adapt to the actions of human traffickers. The operations center should be structured to streamline efforts to analyze assessment criteria and then share relevant information and best practices to those that need it to take action. This information would inform the guidance and training of law enforcement, NGOs and anyone that might interact with human traffickers or their victims. It would also inform the education of all Vietnamese, with a focus on those most vulnerable to become victims.

In accordance with Kara's recommendation, all the key non-governmental players should have a clearly defined role with the operations center. NGOs, law enforcement, lawyers, business, lobbyists, and economists are just some of the possibilities, however, the Ministry of Education (in an effort to educate children about this problem), the media (in an effort to further inform the population), and representatives from the health and religious sectors (representing the doctors and religious leaders that may easily gain the trust of future victims) are other options. The government would provide the infrastructure and propose the organizational structure and work with each agency to nest missions as well as duties and responsibilities. The Ministry of Public Security, the lead agency for Vietnam's National Plan of Action and a focal point for coordination by the other agencies, would be a natural choice to lead this organization and provide unity of effort amongst the agencies involved.⁶⁵

Through a collaborative effort, this collective force could refine the education of the Vietnamese people as to the risks, and the education of those who might interact with traffickers and victims on how to either report or provide assistance. Lawyers, lobbyists and government officials could see first-hand what problems exist and propose immediate change

⁶⁵ United Nations Inter-Agency Project on Human Trafficking, "UNIAP SIREN Mekong Region Country Datasheets Human Trafficking 2010.pdf," 35.

to legislation with assessment criteria to back it up. Experts across the spectrum could work with internal agencies within Vietnam's borders, collaborate at the national level, and coordinate with UN agencies, ASEAN and others on global and regional issues. When fighting a global enemy, it will take this type of collaboration to succeed.

CONCLUSION

Numerous agencies are working diligently at the national (Vietnam), regional (ASEAN), and global (United Nations) level to end human trafficking. Whether focused on protection, prosecution, policy or prevention, their efforts are critical, however, no single entity will be able to solve this problem on its own. It is a complex, international problem that will require unity of effort at all levels and amongst all organizations. A shared operations center and common database are two mechanisms that Vietnam should construct to build on the work of the ARTIP/AAPTIP and COMMIT processes, and with both programs transitioning into their next stages, there is no better time to implement change.⁶⁶

The League of Nations addressed the lack of information on trafficking in the 1920s, and the international community is still fighting this problem today; it is time to take the next step.⁶⁷ If Vietnam successfully implements these changes, the result will be a shared understanding of the scope of the problem, and a more informed and united approach to fight it. This raises the ceiling for success for everyone, and most importantly, provides leaders with relevant assessment criteria to develop viable solutions to stop human trafficking.

⁶⁶ Australian AID, "Final Program Design Document for the Australia–Asia Program to Combat Trafficking in Persons (AAPTIP)," 44.

⁶⁷ "Report of the Special Body of Experts on Traffic in Women and Children," Social Service Review, Vol. 1, No. 2 (June 1927), 354-456.